

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BOBBY WHITE, JR.,	:	
Plaintiff,	:	
v.	:	Case No. 3:16-CV-426
CITY OF TROTWOOD, OHIO	:	JUDGE WALTER H. RICE
UTILITY BILLING,	:	
Defendant.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #4);  
DISMISSING COMPLAINT (DOC. #3) WITHOUT PREJUDICE FOR  
LACK OF JURISDICTION; JUDGMENT TO ENTER IN FAVOR OF  
DEFENDANT AND AGAINST PLAINTIFF; TERMINATION ENTRY

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz in his Report and Recommendations (Doc. #4), as well as on a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing, and DISMISSES the Complaint (Doc. #3) WITHOUT PREJUDICE for lack of subject matter jurisdiction. The Court notes that, although Plaintiff was notified of his right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections have been filed within the time allotted.

Judgment shall be entered in favor of Defendant and against Plaintiff.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: November 1, 2016

A handwritten signature in black ink, appearing to read 'Walter H. Rice', is written over a horizontal line.

WALTER H. RICE  
UNITED STATES DISTRICT JUDGE